

Retention and Classification Report

Agency: Department of Human Services. Office of Administrative Hearings (27)
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Records Officer Sonia Sweeney

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AGENCY: Department of Human Services. Office of Administrative Hearings

SERIES: 85219

3

TITLE: Child abuse registry expungement hearing case files

DATES: 1986-2015.

ARRANGEMENT: Alphabetical by client surname

DESCRIPTION:

These records document child abuse registry expungement hearings. The defendant can make one request for a hearing after he is placed on the central register. The adjudicative hearing judge reviews the evidence and information and renders a final decision.

Information includes legal documents, Notice of Agency Action, hearing notes, audio tapes, police reports, a request for expungement, and all related correspondence.

RETENTION:

Retain 7 years.

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 12/1999

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year after case is closed and then transfer to State Records Center. Retain in State Records Center for 6 years and then destroy provided no legal action is pending.

AGENCY: Department of Human Services. Office of Administrative Hearings

SERIES: 85219

TITLE: Child abuse registry expungement hearing case files

(continued)

APPRAISAL:

Administrative Legal

This record has legal value and complies with the guidelines listed in Utah Code Annotated 63-46b (1989), adjudicative hearing procedures.

PRIMARY CLASSIFICATION:

Private Utah Code Annotated 63G-2-302 (2008)

SECONDARY CLASSIFICATION(S):

Controlled. Utah Code Annotated 63G-2-304 (2008)

AGENCY: Department of Human Services. Office of Administrative Hearings

SERIES: 17215

3

TITLE: Fair hearings of nursing homes

DATES: 1981-2002.

ARRANGEMENT: Alphabetical by nursing home

DESCRIPTION:

This is a record of a hearing between Social Services and a private provider. Patient medicaid payments were denied as a result of a provider audit. Providers were not in compliance with the rules and regulations of the contract, and the attached State and Federal Guidelines. The provider is then granted a hearing to prove beyond a reasonable doubt that he has been and currently is in compliance in order to receive payment and continue services. This series includes correspondence, Stipulation and Order of Dismissal, Decision, certificates, Notice of Agency Action, Hearing Policy and Procedures, Transmittal and Notice of Approval of State Plan Material, Rate Problem, Notice of Continuance, Notice of Hearing, Manual for Allowable Cost Reimbursement for Skilled and Intermediate Nursing Care, and all audit reports. Fair Hearings of Nursing Homes were transferred to the Utah State Department of Health. The recommended retention does not affect the Health Department records.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

APPROVED: 09/1988

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 3 years after date of closure and then transfer to State Records Center. Retain in State Records Center for 4 years and then destroy provided no litigation is pending.

AGENCY: Department of Human Services. Office of Administrative Hearings

SERIES: 17215

TITLE: Fair hearings of nursing homes

(continued)

APPRAISAL:

Administrative Fiscal Legal

PRIMARY CLASSIFICATION:

Private

AGENCY: Department of Human Services. Office of Administrative Hearings

SERIES: 28733

3

TITLE: Informal administrative hearing audio recordings

DATES: 2015 -

ARRANGEMENT: Chronological by fiscal year, thereunder alphabetical by client's name

DESCRIPTION:

These records support the agency's function to conduct adjudicative proceedings for the Department of Human Services (Utah Code 62A-1-111(4)(2014)). These recordings document informal hearings about matters including child or vulnerable-adult abuse or neglect, adoption and foster care matters, disability eligibility, and compliance with licensing regulations.

RETENTION:

Retain 1 year after the order is issued.

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 08/2015

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Computer data files: Retain in Office for 1 year after order issued and then delete.

APPRAISAL:

Administrative

RETENTION JUSTIFICATION:

AGENCY: Department of Human Services. Office of Administrative Hearings

SERIES: 28733

TITLE: Informal administrative hearing audio recordings

(continued)

Retention is based on DHS Administrative Rule R497-100-7(2).

PRIMARY CLASSIFICATION:

Private 63G-2-302(2)(d)(2015)

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 08/2015.

AGENCY: Department of Human Services. Office of Administrative Hearings

SERIES: 17213

3

TITLE: Informal administrative hearing case files

DATES: 1978-

ARRANGEMENT: Chronological by fiscal year, thereunder alphabetical by client's name

ANNUAL ACCUMULATION: 6.40 cubic feet.

DESCRIPTION:

These case files document hearings and appeals conducted by the Division of Child and Family Services, Aging and Adult Services, Services for People with Disabilities(DSPD), and Licensing. The hearings are for the purpose of determining child support, adoption subsidies, whether child or adult abuse/neglect has occurred, DSPD eligibility, foster care removal and issues related to background screening applications and compliance with licensing regulations. Files may contain appeals; judgment by default; notice of support debt; administrative hearing checklist; notice of hearing; notice of appeals; subpoena; stipulation and order; memorandum of findings and order; divorce decree; finding of facts and decree; orders; default judgement and order of support; mailing certificates; computation of arrearages; affidavits; notice of appearance of counsel; written answer; default order; notice of support and debt based on court order; the certificate of record; certified mail receipts; income affidavits; attorney notes and correspondence; orders of stay and/or continuance; and motions and orders on: reconsideration, set aside, dismissal; and final decisions and orders.

RETENTION:

Retain 10 years after case is closed.

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 09/1988

AGENCY: Department of Human Services. Office of Administrative Hearings

SERIES: 17213

TITLE: Informal administrative hearing case files

(continued)

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 3 years after case is closed and then transfer to State Records Center. Retain in State Records Center for 7 years and then destroy provided no litigation is pending.

APPRAISAL:

Administrative Fiscal Legal

Retention is based on 45 CFR 302.15, 45 CFR 303.2, and 45 CFR 74, and 45 CFR 74.164b.

Retention is based on DHS Administrative Rule R497-100-7(2).

PRIMARY CLASSIFICATION:

Private

SECONDARY CLASSIFICATION(S):

Controlled

AGENCY: Department of Human Services. Office of Administrative Hearings

SERIES: 85220

3

TITLE: Licensing hearings case files

DATES: 1986-2015.

ARRANGEMENT: Alphabetical by client's name

ANNUAL ACCUMULATION:

DESCRIPTION:

These files document licensing hearings for applicants or licensed providers of defined human services programs such as day care, child day care, and mental treatment. They focus on those whose license has been denied, suspended or revoked. Denial, suspension or revocation is implemented if a licensee or applicant violates rules or standards; if the agency has evidence the party committed an illegal act or has provided services harmful to the health of a person; or in instances of noncompliance, improper certification, or alleged child abuse or neglect. This series includes legal documents, exhibits, case notes, audio tapes (transcripts), Notice of Agency Action, taped interviews and related correspondence.

RETENTION:

Retain 7 years.

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 12/1999

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year after case is closed and then transfer to State Records Center. Retain in State Records Center for 6 years and then destroy provided no litigation is pending.

AGENCY: Department of Human Services. Office of Administrative Hearings

SERIES: 85220

TITLE: Licensing hearings case files

(continued)

APPRAISAL:

Administrative

This disposition is based on the needs of the agency.

Retention is based on DHS Administrative Rule R497-100-7(2).

PRIMARY CLASSIFICATION:

Public UCA 62A-2-109 (1989), specifies that information received through reports and inspections are public.

SECONDARY CLASSIFICATION(S):

Private. UCA 62A-2-109 (1989), specifies that information constituting an unwarranted invasion of privacy are private.

AGENCY: Department of Human Services. Office of Administrative Hearings

SERIES: 24175

3

TITLE: Personnel files

DATES: 1970-2003.

ARRANGEMENT: Alphabetical by last name

ANNUAL ACCUMULATION:

DESCRIPTION:

Personnel files of employees with the Department of Human Services' Office of Administrative Hearings. Refer to UCA 67-18-1 (1999), et seq. and DHRM standards on accessing, maintaining, and managing employee personnel files. When an employee transfers to another state agency, the official personnel file must be sent to the new agency. Includes application for employment or resume, verification of employment eligibility (I-9 form), and retirement/deferred compensation plan notification (ADNT-2), corrective or disciplinary actions taken against an employee, performance plans, performance evaluations, position description, career mobility or job swap agreement, insurance benefits notification (ADNT-1). May contain documentation on employee withholding, completion of course certificates, conflict of interest letters, incentive award results, employee awards, letters of commendation, leave records and leave adjustment reports.

RETENTION:

Retain 65 years after separation.

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is authorized by Archives general schedule SG 11, Item 2.

AUTHORIZED: 04/16/2002

AGENCY: Department of Human Services. Office of Administrative Hearings

SERIES: 24175

TITLE: Personnel files

(continued)

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office until employee separates and then transfer to State Records Center. Retain in State Records Center for 65 years and then destroy.

APPRAISAL:

Administrative Legal

Retention is based on DHS Administrative Rule R497-100-7(2).

PRIMARY CLASSIFICATION:

Private UCA 63G-2-302(1)(f)(2008)

SECONDARY CLASSIFICATION(S):

Public. UCA 63G-2-301(1)(b)(2008)

AGENCY: Department of Human Services. Office of Administrative Hearings

SERIES: 17216

3

TITLE: Personnel grievance case files

DATES: 1983-2015.

ARRANGEMENT: Chronological

ANNUAL ACCUMULATION:

DESCRIPTION:

This is a record of the grievances and appeals raised by agency employees. This series includes Notices of Hearings, Grievance Supplement, Personnel Review Board Grievance Procedures, Statement of Grievance, remedy or relief sought, a reply, Peer Review Panel Decisions, Record of the Peer Review Panel Proceedings, and all submitted evidence.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

APPROVED: 09/1988

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year after case is closed and then transfer to State Records Center provided no further action is needed. Retain in State Records Center for 2 years and then destroy.

APPRAISAL:

Administrative Legal

Retention is based on DHS Administrative Rule R497-100-7(2).

PRIMARY CLASSIFICATION:

Private

AGENCY: Department of Human Services. Office of Administrative Hearings

SERIES: 85218

3

TITLE: Public assistance overpayment case files

DATES: 1986-2015.

ARRANGEMENT: Alphabetical by client surname

ANNUAL ACCUMULATION:

DESCRIPTION:

These records document action taken against a client receiving an overpayment in public assistance funding. When a client does not voluntarily return the amount overpaid, action is taken by the hearing judge.

Information includes Notice of Agency Action, Hearing Request, certified mail receipts, case notes, exhibits, claim determinations, legal documents, defaults and all related correspondence.

RETENTION:

Retain 7 years.

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 12/1999

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year after case is closed and then transfer to State Records Center. Retain in State Records Center for 6 years and then destroy provided no legal action is pending.

AGENCY: Department of Human Services. Office of Administrative Hearings

SERIES: 85218

TITLE: Public assistance overpayment case files

(continued)

APPRAISAL:

Administrative Legal

This record has legal value complying with guidelines listed in Utah Code Annotated 63-46b (1989), adjudicative hearing procedures.

Retention is based on DHS Administrative Rule R497-100-7(2).

PRIMARY CLASSIFICATION:

Public

SECONDARY CLASSIFICATION(S):

Private. Utah Code Annotated 63-46b-5 (1989)

AGENCY: Department of Human Services. Office of Administrative Hearings

SERIES: 85221

3

TITLE: Youth corrections disciplinary hearing case files

DATES: 1980-2015.

ARRANGEMENT: Alphabetical by client surname

ANNUAL ACCUMULATION:

DESCRIPTION:

These records document hearing records regarding incidents occurring at Youth Corrections Facilities. Issues addressed are behavior problems, revocation of parole, grievance resolutions, supervision of confinement and general the treatment of residents. This series includes a summary of the incident, discussion and final decision.

All documentation is provided to the Adjudicative Hearing Judge by the facility and is returned after a final decision has been rendered.

RETENTION:

Retain 7 years.

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is authorized by Archives general schedule SG 3, Item 17.

AUTHORIZED: 10/06/1999

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 6 years and then destroy.

AGENCY: Department of Human Services. Office of Administrative Hearings

SERIES: 85221

TITLE: Youth corrections disciplinary hearing case files

(continued)

APPRAISAL:

Administrative Legal

These records have legal value complying with the guidelines listed in Utah Code Annotated 63-46b (1989), adjudicative hearing procedures and the Juvenile Court Act.

Retention is based on DHS Administrative Rule R497-100-7(2).

PRIMARY CLASSIFICATION:

Private

SECONDARY CLASSIFICATION(S):

Controlled